

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SANDRA ALICEA as Next Friend of E.L., a minor,)

Plaintiff,

v.

VILLAGE OF STICKNEY, OFFICER
LOCHRIDGE, OFFICER PEDRO GARCIA,
OFFICER KRETCH, OFFICER KEVIN
MCGUIRE, MARIA RAMIREZ, DANIELLE
BUTTS, ALL OUR CHILDREN'S ADVOCACY
CENTER, COOK COUNTY SHERIFF, JUDE
MERCADO, LORRAINE CHATMAN,
BERNARD MCNUTT, ANITA JOHNSON,
MIRELLA SUSNJAR, CHERRI KRZYZOWSKI,
HELEN KANEL, DEBORAH AWOYEMI,
MANUEL MANALSTAS, WANDA ESTES, and
COOK COUNTY,

Defendants.

No: 15-cv-7795

Judge Sara L. Ellis

JURY DEMANDED

ORDER APPROVING SETTLEMENT AND DISTRIBUTION

This matter coming on to be heard on the Plaintiff's Motion to Approve Settlement with Cook County Defendants and Distribution, and the Court being fully advised in the premises, orders:

1. This is a civil rights action, in which the plaintiff is Elliott Lozada, by his mother and next friend Sandra Alicea.
2. The action is, in part, based on allegations that the Cook County Defendants (Cook County, the Cook County Sheriff, and Cermak employees Jude Mercado, Lorraine Chatman, Bernard McNutt, Anita Johnson, Mirella Susnjar, Cherri Krzyzowski, Helen Kanel, Deborah Awoyemi, Manuel Manalstas and Wanda Estes) violated the rights of plaintiff by allowing a 15-year-old to be incarcerated in Cook County Jail for five days and nights. Plaintiff also alleged a *Monell* claim regarding certain policies of the Cook County Sheriff.

3. The claims against the remaining Defendants (Village of Stickney and its individual police officers Colin Lochridge, Pedro Garcia, Kretch and Kevin McGuire; All Our Children's Advocacy Center, Maria Ramirez, Danielle Butts) are still pending.
4. Pursuant to the retainer agreement signed by the Plaintiff, Plaintiff's counsel are entitled to be paid 40% of the total of any recovery plus costs.
5. As part of the settlement negotiations, Plaintiff's counsel computed their costs and attorneys' fees that had been expended on the case thus far. The attorneys' fees came to approximately \$39,400 and the costs were \$1,350.73
6. The parties were able to reach an agreement on a settlement, which is agreeable to Plaintiff and her attorneys and the Cook County Defendants, and their attorneys. Pursuant to this settlement agreement, Plaintiffs would voluntarily dismiss with prejudice all claims against the Cook County Defendants. The Defendant Cook County would pay a global settlement of \$50,000 to Plaintiff and attorneys, inclusive of attorney's fees, costs and consideration for the dismissal of the claims against the Cook County Defendants. The settlement agreement amount includes compensatory damages, attorney's fees, and costs, as itemized below:
 - a. Sandra Alicea, on behalf of E.L.: \$28,649.27
 - b. Shiller Preyar Law Offices: \$21,350.73
 - i. Section 1988 Attorneys' fees: \$20,000.00
 - ii. Costs: \$1350.73
7. In accordance with the Illinois Probate Act, this Court finds that the settlement of these claims against the Cook County Defendants for the total of \$50,000 including attorneys' fees and costs, and the distribution of the proceeds of the settlement in the manner set forth above is fair and reasonable, and adequately protects the interests of the minor child.

8. In accordance with the Illinois Probate Act, the court finds that Sandra Alicea is a competent and appropriate guardian to represent the best interest of her minor son, Eliott Lozada, in executing the settlement agreement and release of the minor's claims.
9. Defendant Cook County is ordered to make the settlement check payable to Shiller Preyar Law Offices and Sandra Alicea. The Shiller Preyar Law Offices are ordered to distribute the settlement proceeds in accordance with this order and the Plaintiff's executed Power of Attorney.

IT IS SO ORDERED.



2/29/2016

Judge Sara L. Ellis
United States District Court

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